



SF 2299 – Ignition Interlock Device (LSB 5315SV.1)

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Fiscal Note Version – As amended by the Senate

Description

Senate File 2299 amends Iowa's Operating While Intoxicated (OWI) law, and makes changes to driver's license revocation, temporary restricted licenses, and ignition interlock devices (IID).

This Bill makes the following changes:

- Caps the fine for first OWI convictions that caused no personal injury at \$625.
- Eliminates provisions that restrict eligibility for temporary restricted driver's licenses for first and second-time OWI offenders and offenses that involved a personal accident or injury.
- Allows the court to increase the minimum time period that an offender must maintain an ignition interlock device on all vehicles owned and operated by the offender.
- Requires all offenders applying for license reinstatement to install an IID on all owned or operated vehicles. The minimum required time to maintain an IID varies as follows:
 - For the first offense, the minimum period to maintain an IID is six months from license reinstatement if certain criteria are met.
 - For second or subsequent offenses, the minimum maintenance time is one year from license reinstatement.
 - Offenses involving a death require a minimum maintenance time of one year from reinstatement.
- The minimum period an offender is required to maintain an IID is reduced by any period that the person held a valid temporary restricted driver's license.
- Requires the Department of Transportation (DOT) to adopt rules that require the provider of an IID to submit electronic reports on all vehicles owned by an offender seeking license reinstatement.
- Requires a minimum of three months without the IID detecting blood alcohol levels preventing operation of the vehicle.
- Allows a temporary restricted license holder to drive for any lawful purpose, but maintains certain restrictions for third-time offenders, offenses that involved death, and habitual offenders.
- Prohibits an approved IID provider from charging more than \$250 to install, maintain, and remove an IID for individuals with an income level less than 150.0% of the federal poverty limit and individuals that qualify for low-income support programs.

Background

First time OWI offenders are currently fined \$1,250. The court is allowed discretion to reduce this fine to \$625 if no personal or property injury occurred. The minimum period of ineligibility for temporary restricted licenses is determined by prior offenses, blood alcohol level, and if the offense causes personal injury or property damage. Offenders that fail a chemical test may be required to install an ignition interlock device depending on conditions. Currently, Iowa is ineligible for federal National Highway Traffic Safety Administration (NHTSA) grants related to ignition interlocks.

Assumptions

In FY 2013, 8,100 first-time OWI offenders were assessed a fine. The average fine paid in FY 2013 was \$1,230. This fiscal note assumes that 8,100 first-time OWI offenders will be assessed a fine of \$625 in FY 2015 and FY 2016. Collection rates for assessed fines are assumed to be 39.6% for FY 2014 and 39.4% for FY 2015. These rates match collection percentages for FY 2012 and 2013, respectively.

With the passage of [SF 2299](#), Iowa may become eligible for NHTSA IID grants. Currently, it is unknown if Iowa will be eligible for these grants and NHTSA is reviewing [SF 2299](#). The NHTSA informed the Governor's Traffic Safety Bureau that eligibility for IID grants will lead to a \$293,000 grant in FFY 2015. Iowa will be required to apply for any future NHTSA grants related to IID regardless of eligibility.

Fiscal Impact

This Bill will reduce fine revenue for local governments, the Victim Compensation Fund, and the State General Fund as estimated in the table below.

Impact to Local and State Governments

Year	Local Government	Victim Compensation Fund	General Fund	Total
FY 2015	\$ -34,000	\$ -110,000	\$ -2,500,000	\$ -2,644,000
FY 2016	-29,000	-92,000	-2,100,000	-2,221,000

This Bill may increase federal funding to the Department of Public Safety by \$293,000 if NHTSA determines this Bill meets federal standards. However, eligibility is unknown at this time.

Sources

Department of Human Rights, Criminal and Juvenile Justice Planning Division
Governor's Traffic Safety Bureau
LSA Calculations

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
